

DEC 21 2012

JULIA C. DUDLEY, CLERK
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IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

HABAKKUK E. BEN YOWEL,)	CASE NO. 7:12CV00569
)	
Plaintiff,)	
)	FINAL ORDER
v.)	
)	
VIRGINIA DEPARTMENT)	
OF CORRECTIONS DIRECTOR, <u>ET AL.</u> ,)	By: James C. Turk
)	Senior United States District Judge
Defendant(s).)	

In accordance with the accompanying memorandum opinion, it is hereby

ADJUDGED AND ORDERED

that this civil action is **DISMISSED** without prejudice, pursuant to 42 U.S.C. § 1997e(a), for failure to exhaust administrative remedies, plaintiff's motion for restraining order is **DENIED**, and this action is stricken from the active docket of the court.

ENTER: This 21st day of December, 2012.

[Signature]

Senior United States District Judge